Docket No.: 1422-0651PUS1

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Takashi NAKAYAMA et al.

Application No.: 10/518,749

Confirmation No.: 3018

Filed: December 22, 2004

Art Unit: 1632

For: METHOD FOR PRODUCING NEURAL CELL

Examiner: M. K. Sgagias

SUPPLEMENTAL INTERVIEW SUMMARY

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Further to the Amendment filed on October 23, 2009, and the Interview Summary therein, Applicants herein provide a Supplemental Interview Summary to address the comments in the Examiner's Interview Summary of October 29, 2009.

During the Interview, Applicants pointed out that the source of the embryonic stem cells (i.e., the maturity of the cells before culture) was considered in the Interview of September 16, 2008. Further a "time element" was suggested by the Examiner in the Advisory Action of September 14, 2008, page 3, lines 12-13.

Thus, the origin of the embryonic stem cells has been considered. Further, the Examiner recommended a "time element", which in the presently pending claims is reflected in the addition of a culture period of the cells. That said, Applicants understand that the Examiner has indicated that the amendments would not be entered.

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With regard to the Thompson references, those references were provided to show that embryonic

stem cells of the claimed invention would have the ability to differentiate into the three primary

germ layers. (See Amendment, March 19, 2009, pages 7-8). Applicants maintain that one of

skill would have understood from the Specification and the knowledge in the art (as evidenced

by the Thompson references) that the cells of the invention could differentiate into the three

primary germ layers. However, the point is most in view of the currently pending claims.

Should there be any outstanding matters that need to be resolved in the present application, the

Examiner is respectfully requested to contact Mary M.H. Eliason, Reg. No. 58,303 at (858) 792-

8855, to conduct an interview in an effort to expedite prosecution in connection with the present

application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to

charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional

fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: November 18, 2009

Respectfully submitted,

Gerald M. Murphy, Jr.

Registration No.: 28,977

BIRCH, STEWART, KOLASCH & BIRCH, LLP

#47,604

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

2

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